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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON**

In re:

Giga Watt Inc.

Debtor

Case No. 18-03197-FPC11

UNITED STATES TRUSTEE'S OBJECTION
TO MOTION TO COMPEL

The United States Trustee objects to the Motion to Compel Production filed by the Unsecured Creditors' Committee on September 25, 2020 as Docket #740 (the "Motion to Compel"). The United States Trustee asserts that the Motion to Compel should be denied for the following reasons:

1. The Unsecured Creditors Committee no longer exists. Such committees are only authorized in Chapter 11. *11 U.S.C. §1102*. Accordingly, the conversion of this case from Chapter 11 to Chapter 7 on September 30th disbanded the Committee and contemporaneously ended its right to investigate the debtor's assets and financial affairs. *11 U.S.C. §1103(c)(3)*. See, e.g., *In re Parks Jagers Aerospace Co.*, 129 B.R. 265, 268 (Dist. Ct. M.D. Fla. 1991) (ruling that the creditors' committee in a chapter 11 proceeding is permanently dissolved when the proceeding is dismissed or converted to a chapter 7 action); *In re Kel-Wood Timber Prods. Co.*, 88 B.R. 93, 94 (Bankr. E.D. Va. 1988) (holding that award of attorney's fees from the debtor's

estate for post-conversion services rendered to creditors' committee was prevented by the dissolution of the creditors' committee upon conversion of the debtor's chapter 11 case to a case under chapter 7). As the Committee no longer exists and no longer has any authority to investigate, the Motion to Compel is now moot.

2. Interested parties were not given proper notice of the PUD Motions. Bankruptcy Rule 2002(a)(2) requires that interested parties be given 21 days notice of and opportunity to object to the Motion to Compel. *See also, LBR 2002-1(c)*. Here, there is no indication in the record that the Motion to Compel was properly noticed out to any party.

The United States Trustee reserves the right to amend this objection to include any issues raised by any information subsequently provided to the United States Trustee.

For all of the foregoing reasons, the United States Trustee objects to and asks the Court to deny the Motion to Compel.

The United States Trustee requests a hearing on this objection.

Dated: October 5, 2020

Respectfully submitted,

GREGORY M. GARVIN
Acting United States Trustee

/s/ James D. Perkins
JAMES D. PERKINS
Attorney for the United States Trustee